

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

ROBERT KIRBY, III,	)	
	)	
Plaintiff,	)	
	)	
v.	)	1:23CV754
	)	
RICHARD JOYNER, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**JUDGMENT**

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and on February 5, 2024, was served on the parties in this action. (ECF Nos. 4, 5.) No objections were filed within the time prescribed by § 636.

The Court hereby adopts the Magistrate Judge's Recommendation.

**IT IS HEREBY ORDERED AND ADJUDGED** that this action is **DISMISSED** pursuant to U.S.C. § 1915 (e)(2)(B)(ii), and all state-law claims in this action are **DISMISSED** without prejudice pursuant to Section 1367(c)(3).

This, the 27<sup>th</sup> day of March 2024.

\_\_\_\_\_  
/s/ Loretta C. Biggs  
United States District Judge